

House Bill 519

By: Representatives Fludd of the 66th, Mosby of the 90th, Abrams of the 84th, and Buckner of the 130th

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, and computation of income tax, so as to provide for an income tax credit for qualified water efficient product expenses and qualified energy efficient product expenses, or both; to provide for definitions; to provide for conditions and limitations; to provide for powers, duties, and authority of the state revenue commissioner with respect to the foregoing; to provide an effective date; to provide for applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, and computation of income tax, is amended by adding a new Code section to read as follows:

"48-7-29.17.

(a) As used in this Code section, the term:

(1) 'Energy efficient product' means any energy efficient product for noncommercial home or personal use consisting of any dishwasher, clothes washer, air conditioner, ceiling fan, fluorescent light bulb, dehumidifier, programmable thermostat, refrigerator, door, or window which has been designated by the United States Environmental Protection Agency and the United States Department of Energy as meeting or exceeding each such agency's energy saving efficiency requirements or which have been designated as meeting or exceeding such requirements under each such agency's Energy Star program.

(2) 'Qualified energy efficient product expense' means the expenditure of funds by the taxpayer for energy efficient products installed in the taxpayer's single-family home on or after the effective date of this Code section, if such home is the taxpayer's primary

26 residence, in the tax year for which the credit under this Code section is claimed and
27 allowed.

28 (3) 'Qualified water efficient product expense' means the expenditure of funds by the
29 taxpayer for water efficient products installed in the taxpayer's single-family home on or
30 after the effective date of this Code section, if such home is the taxpayer's primary
31 residence, in the tax year for which the credit under this Code section is claimed and
32 allowed.

33 (4) 'Water efficient product' means any product used for the conservation or efficient use
34 of water which has been designated by the United States Environmental Protection
35 Agency as meeting or exceeding such agency's water saving efficiency requirements or
36 which has been designated as meeting or exceeding such requirements under such
37 agency's Water Sense program.

38 (b) A taxpayer shall be allowed a credit against the tax imposed by Code Section 48-7-20
39 for qualified energy efficient product expenses in an amount not to exceed the actual
40 amount expended or \$500.00, whichever is less.

41 (c) A taxpayer shall be allowed a credit against the tax imposed by Code Section 48-7-20
42 for qualified water efficient product expenses in an amount not to exceed the actual amount
43 expended or \$500.00, whichever is less.

44 (d) In no event shall the total amount of the tax credits under this Code section for a
45 taxable year exceed the taxpayer's income tax liabilities. Any unused tax credits shall be
46 allowed the taxpayer against succeeding years' tax liabilities. No such tax credits shall be
47 allowed the taxpayer against prior years' tax liability.

48 (e) The commissioner shall be authorized to promulgate any rules and regulations
49 necessary to implement and administer the provisions of this Code section."

50 **SECTION 2.**

51 This Act shall become effective upon its approval by the Governor or upon its becoming law
52 without such approval and shall be applicable to all taxable years beginning on or after
53 January 1, 2009.

54 **SECTION 3.**

55 All laws and parts of laws in conflict with this Act are repealed.